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EXAMINER
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SWARTZ, JAMIE H

ART UNIT	PAPER NUMBER
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3684

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/084,856	<b>Applicant(s)</b> MENNIE ET AL.	
	<b>Examiner</b> JAMIE SWARTZ	<b>Art Unit</b> 3684	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 5) ☒ Claim(s) 271-274 and 276-283 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 271-274, 276-283 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/18/11</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

## **DETAILED ACTION**

### ***Status***

1. This action is in response to the amendment filed on November 14, 2011. Claims 271-274, 276-283 are pending. Claims 271, 276-278 are amended. Claims 282 and 283 have been added. Claim 275 is cancelled.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 271-274, 276-283 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments were filed with the November 14, 2011 response.

3. The applicant has argued that Molbak, Deerfield and Ristvedt do not teach no initial value associated with the card. The examiner respectfully disagrees. As can be seen in the Deerfield article the user purchases or adds value to the smart card with \$1, 5, 10, or 20 bills. Deerfield does not teach that any value is stored on the card prior to purchase. Deerfield merely states that the card retains its value.

4. The applicant has argued that there would be no reason to combine Molbak with a card. The examiner respectfully disagrees. In response to applicant's argument that there is no teaching, suggestion, or motivation to combine the references, the examiner recognizes that obviousness may be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some

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teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988), *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992), and *KSR International Co. v. Teleflex, Inc.*, 550 U.S. 398, 82 USPQ2d 1385 (2007). In this case, both Molbak and Deerfield teach systems that allow users to input currency and dispense a valued article for future use within the store. Molbak uses a piece of paper however, the use of smart cards at the time of the invention for similar type purchases was known in the art. Taking currency and putting the value on a useable article was well known in the art at the time of the invention. The combination would have been obvious because the prior art elements were capable of being combined as can be seen in Deerfield.

5. The applicant claims that there is an example of a Molbak voucher "reproduced below." The examiner cannot find any such voucher as claimed by the applicant. Further, the applicant has argued that the voucher was in exchange for cash or **merchandise** in the store. That is the way of earning income by that particular business. The use of a card in Deerfield is to use in the "store" or Laundromat which is to wash clothing as is the way of earning income by the particular business. The applicant has argued that the goal of Molbak is to solve the problem of customers having too much change. The examiner respectfully disagrees. Money is money and can be used just as easily at a register as a voucher or a smartcard. Molbak never teaches that the goal of the invention is to not weigh down customers with extra change.

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The goal of each of the prior inventions is the same putting currency into a machine and converting that currency into a value article so the user is not required to pay cash for the actual merchandise or services at the store.

6. The applicant has argued with regards to the rejection of claim 272 that Molbak does not teach what the examiner claims Molbak to teach. The examiner is confused by this argument and requests clarification because Molbak does teach a method of redeeming currency from a customer at a self-service machine, including coins, and checking the validity of the currency. Any other reference to Molbak in the rejection was in relation to the combination of Molbak and Deerfield.

7. The applicant has argued with regards to the rejection of claim 274 that Molbak does not teach what the examiner claims Molbak to teach. The examiner is confused by this argument and requests clarification because the rejection was in relation to the combination of Molbak and Deerfield. And Deerfield already includes a bill acceptor so it would be obvious to have a bill acceptor.

8. Applicant has also failed to adequately traverse the use of Official Notice. To adequately traverse such a finding, an applicant must specifically point out the supposed errors in the examiner's action, which would include stating why the noticed fact is not considered to be common knowledge or well-known in the art. See 37 CFR 1.111(b). See also *Chevenard*, 139 F.2d at 713, 60 USPQ at 241 (“[I]n the absence of

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any demand by appellant for the examiner to produce authority for his statement, we will not consider this contention.”). A general allegation that the claims define a patentable invention without any reference to the examiner’s assertion of official notice would be inadequate. Examiner notes that, as per MPEP § 2144.03(C), the statements of Official Notice made in the art rejection have been established as admitted prior art since Applicant has not adequately traversed the Examiner’s assertions of Official Notice. More specifically, the following statements of Official Notice are now formally established on record as admitted prior art: In regards to claim 281, Official Notice now admitted prior art is taken that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the stored value card to be related to a grocery store account.

### ***Claim Rejections - 35 USC § 112***

9. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

10. Claims 271-274 and 276-283 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The applicant has amended the claims to include different vendors, more than one issuing entity, different

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card vendors, and different issuing entities. There is no support in the original disclosure for different vendors, more than one issuing entity, different card vendors, and different issuing entities. The applicant has amended the claims to include the limitation of one of the different vendors comprising a bank. There is no support in the original disclosure for one of the different vendors comprising a bank.

11. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

12. Claims 271-274 and 276-277 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

13. Regarding claims 271, 276, and 277, the phrase "different vendors" renders the claim indefinite because it is unclear what the applicant is defining to be different vendors. Is the applicant claiming that the same vending machine is holding more than one brand of a product? Is the applicant claiming more than one self-service machine?

14. Regarding claim 282, the phrase "selectively associated" renders the claim indefinite because it is unclear what the applicant is defining to be selectively associated. It appears within the invention the user inserts coins and that value goes onto a card. It is unclear how the value of the coins can be selectively associated. Is the applicant claiming that a partial value may not be put on a card?

15. Claims 272-274, and 277 are also rejected as depending from a previously rejected claim.

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. Claims 271, 277-280, 282, 283 are rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A).

18. Regarding claims 271, 278, 282, 283 Molbak teaches a method of redeeming currency from a customer at a self-service machine (col. 2, lines 40-65). Molbak teaches receiving, in a bulk coin receptacle located in a first region of the self-service machine, randomly oriented bulk coins input by said customer (See at least Fig. 1). Molbak teaches moving the coins from the bulk coin receptacle in the first region of the self-service machine to a coin separation module in a second region of the self-service machine (See at least Fig. 2). Molbak teaches discriminating, using at least one coin



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discrimination device disposed downstream of the coin separation module, each coin in the stream of coins to determine whether it is a valid coin (see at least Fig 4). Molbak teaches determining a total value of the valid coins (see at least Fig. 4). Molbak teaches storing to a monetary value that is related to a total value (col. 6, lines 6-20, col. 2, lines 30-60). Molbak teaches and dispensing from the self-service machine a tangible instrument with the value (col. 4, line 59 – col. 5, line 2). Molbak teaches giving the customer an option of receiving a cash voucher or donating a portion or all to a charity. Molbak does not specifically teach selecting a card from a plurality of cards. However, Deerfield teaches selecting a card from a plurality of cards that are not initially associated with any value and storing on a magnetic or solid-state storage medium of a card a monetary value (pg. 1-2). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to currency accepting kiosks that both dispense items of monetary value. One of ordinary skill in the art would have recognized that applying the known technique of Deerfield would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Deerfield to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such card vending features into similar systems. Further, applying the ability to purchase a card through the kiosk of Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the users of Molbak to receive a more robust document for the storage of their currency and not merely a paper voucher.

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A card voucher would allow the funds to be carried more security. URQUHART also teaches a value card without an initial value (see at least abstract). Molbak does not specifically teach that the coins are in a single file stream. However, Ristvedt teaches separating the coins into a single-file stream of coins using the coin separation module (abstract). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to coin collecting and sorting devices. One of ordinary skill in the art would have recognized that applying the known technique of Ristvedt would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Ristvedt to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such coin sorting features into similar systems. Further, applying the ability to separate coins into a single file stream to Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the coins of Molbak to more easily be validated while minimizing the risk of clogging the coin sorter. Molbak does not specifically teach different vendors. However, Falk teaches different vendors wherein there is a first and second issuing entity (col. 3, lines 2 -30). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to dispensing machines. One of ordinary skill in the art would have recognized that applying the known technique of Falk would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Falk to the teachings of

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Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such multiple vendors/ brands within dispensing machines into similar systems. Further, applying multiple vendors to Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the customers of Molbak a greater variety of products.

19. Regarding claim 277, Molbak teaches storing a value of valid bulk coins on a voucher. Molbak does not specifically teach putting that value on a card. However, Deerfield teaches wherein said card has stored on said storage medium account information related to an account to which said total value is associated on said one card (pg. 1-2). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to currency accepting kiosks that both dispense items of monetary value. One of ordinary skill in the art would have recognized that applying the known technique of Deerfield would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Deerfield to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such card vending features into similar systems. Further, applying the ability to purchase a card through the kiosk of Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the users of Molbak to receive a more robust

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document for the storage of their currency and not merely a paper voucher. A card voucher would allow the funds to be carried more security. Molbak does not specifically teach different vendors. However, Falk teaches different vendors comprising different companies (col. 3, lines 2 -30). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to dispensing machines. One of ordinary skill in the art would have recognized that applying the known technique of Falk would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Falk to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such multiple vendors/ brands within dispensing machines into similar systems. Further, applying multiple vendors to Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the customers of Molbak a greater variety of products.

20. Regarding claim 279, Molbak teaches storing a value of bulk coins on a voucher. Molbak does not specifically teach putting that value on a card. However, Deerfield teaches wherein said card has stored on said storage medium a monetary value related to said total value on said one card (pg. 1-2). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to currency accepting kiosks that both dispense items of monetary value. One of ordinary skill in the art would have recognized that applying the known technique of

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Deerfield would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Deerfield to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such card vending features into similar systems. Further, applying the ability to purchase a card through the kiosk of Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the users of Molbak to receive a more robust document for the storage of their currency and not merely a paper voucher. A card voucher would allow the funds to be carried more security.

21. Regarding claim 280, Molbak teaches storing a value of valid bulk coins on a voucher. Molbak does not specifically teach putting that value on a card. However, Deerfield teaches wherein said card has stored on said storage medium account information related to an account to which said total value is associated on said one card (pg. 1-2). This known technique is applicable to the system of Molbak as they both share characteristics and capabilities, namely, they are directed to currency accepting kiosks that both dispense items of monetary value. One of ordinary skill in the art would have recognized that applying the known technique of Deerfield would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of Deerfield to the teachings of Molbak would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such card vending features into

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similar systems. Further, applying the ability to purchase a card through the kiosk of Molbak would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the users of Molbak to receive a more robust document for the storage of their currency and not merely a paper voucher. A card voucher would allow the funds to be carried more security.

22. Claim 272 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A) in further view of Avnet et al. (US 5291003 A).

23. Regarding claim 272, Molbak teaches a method of redeeming currency from a customer at a self-service machine, including coins, and checking the validity of the currency. Molbak does not specifically teach the use of a credit card on the machine. However, Avnet teaches receiving a credit card in a card module of the self-service machine; accessing, using a communication device, an account associated with the credit card; deducting a specified amount from a line of credit associated with said credit card; and adding to said total value of the bulk coins the specified amount prior to the act of dispensing the card having the storage medium for storing the monetary value that is related to said total value (col. 1, line 60 – col. 5, line 40). The combination of Molbak and Deerfield teach unattended machines for dispensing or vending products and services and more specifically relates to the field of dispensing machines that

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permit access using a plurality of payment means. Avnet teaches unattended machines for dispensing or vending products and services and more specifically relates to the field of dispensing machines that permit access using a plurality of payment means including data cards. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak and Deerfield to include the payment uses of a credit card. As well as convenient, accessible credit, credit cards offer consumers an easy way to track expenses, which is necessary for both monitoring personal expenditures and the tracking of work-related expenses for taxation and reimbursement purposes. Credit cards are accepted worldwide, and are available with a large variety of credit limits, repayment arrangement, and other perks (such as rewards schemes in which points earned by purchasing goods with the card can be redeemed for further goods and services or credit card cash back). Some countries, such as the United States, the United Kingdom, and France, limit the amount for which a consumer can be held liable due to fraudulent transactions as a result of a consumer's credit card being lost or stolen. The use of credit cards is secure and time efficient.

24. Claim 273 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A) in further view of Ramsey et al. (US 5842188 A).

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25. Regarding claim 273, the combination of Molbak and Deerfield teach accepting currency and dispensing a card with the total input value. The combination does not specifically teach a bill validation module. However, Mays teaches receiving at least one bill in a bill module of the self-service machine; discriminating, using at least one bill discrimination device, the at least one bill to determine whether it is a valid bill; determining a value of the at least one bill (col. 3, line 45 – col. 4, line 5). Mays teaches a bill validation module for a vending machine or kiosk. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak and Deerfield to include the payment uses of a bill. Depending on the type of purchase to be made a person may not carry enough change on them. Having the option of using a bill allows the user a greater flexibility in the type of currency used to purchase an item. The combination of Molbak and Deerfield do not specifically teach a combination purchase using bills and coins. However, Ramsey teaches adding to said total value of the bulk coins the value of the at least one bill for storing the monetary value that is related to said total value (see at least abstract). Though the invention is directed towards purchasing gas there is a portion of the invention which discloses purchasing items also from the pump. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak, Deerfield, and Mays to include the details of a combination of coin and bills. Allowing a customer to use coin and bills allows for exact change and doesn't require the individual to carry a lot of loose change. Especially when related to a high cost item.



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26. Claim 274 rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A) in further view of Ramsey et al. (US 5842188 A).

27. Regarding claim 274, the combination of Molbak and Deerfield teach accepting currency and dispensing a card with the total input value. The combination does not specifically teach a bill validation module. However, Mays teaches receiving at least one bill in a bill module of the self-service machine; discriminating, using at least one bill discrimination device, the at least one bill to determine whether it is a valid bill; determining a value of the at least one bill (col. 3, line 45 – col. 4, line 5). Mays teaches a bill validation module for a vending machine or kiosk. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak and Deerfield to include the payment uses of a bill. Depending on the type of purchase to be made a person may not carry enough change on them. Having the option of using a bill allows the user a greater flexibility in the type of currency used to purchase an item. The combination of Molbak and Deerfield do not specifically teach a combination purchase using bills and coins. However, Ramsey teaches adding to said total value of the bulk coins the value of the at least one bill for storing the monetary value that is related to said total value (see at least abstract). Though the invention is directed towards purchasing gas there is a portion of the invention which discloses purchasing items also

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from the pump. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak, Deerfield, and Mays to include the details of a combination of coin and bills. Allowing a customer to use coin and bills allows for exact change and doesn't require the individual to carry a lot of loose change. Especially when related to a high cost item.

28. Claim 276 is rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A) in further view of *Mickey Meece (1994)*.

29. Regarding claim 276, the combination of Molbak, Deerfield, Urquhart, Ristvedt, and Falk teach selecting a card from a plurality of cards of different vendors not associated with any value. The combination does not specifically teach a vendor being a bank. However, Meece teaches wherein a vendor of a smart card comprises a bank (pg. 1-2). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Molbak, Deerfield, Urquhart, Ristvedt, and Falk to include a vendor comprising a bank. This known technique is applicable to the system of Molbak, Deerfield, Urquhart, Ristvedt, and Falk as they both share characteristics and capabilities, namely, they are directed to the use of smart cards. One of ordinary skill in the art would have recognized that applying the known technique of Falk would have yielded predictable results and resulted in an improved system. It would have been

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recognized that applying the technique of Falk to the teachings of Molbak, Deerfield, Urquhart, Ristvedt, and Falk would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such smart card branding into similar systems. Further, applying bank supplied smart cards to Molbak, Deerfield, Urquhart, Ristvedt, and Falk would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow the customers a secure fully backed source of funds.

30. Claim 281 rejected under 35 U.S.C. 103(a) as being unpatentable over Molbak et al. (US 5620079 A) in view of Deerfield (February 1996) further evidenced by URQUHART (PCT/US96/20690) in further view of Ristvedt et al. (US 4966570 A) in further view of Falk et al. (US 4600121 A) in further view of Official Notice now admitted prior art.

31. Regarding claim 281, the combination of Molbak, Deerfield, and Ristvedt teach a stored card value system that stores a monetary value for a future purchase. The combination of Molbak, Deerfield, and Ristvedt do not specifically teach a grocery store account. However, Official Notice now admitted prior is taken that it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the stored value card to be related to a grocery store account. The Deerfield reference teaches a card that is used at a specific location (in this case a Laundromat). Using that same technology for the purchase of groceries would have been obvious to one of ordinary

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skill at the time of the invention. One of ordinary skill in the art would have recognized that applying the known technique of allowing the cards to be associated with a grocery store account would have yielded predictable results and resulted in an improved system. It would have been recognized that applying the technique of having a card associated with a grocery store account to the teachings of Molbak, Deerfield, and Ristvedt would have yielded predictable results because the level of ordinary skill in the art demonstrated by the references applied shows the ability to incorporate such smart card functionality into similar systems. Further, applying a grocery store account stored on the card to Molbak, Deerfield, and Ristvedt would have been recognized by those of ordinary skill in the art as resulting in an improved system that would allow a multifunctional usage of the smart card. Further it was known in art at the time of the invention for smart cards to have multiple purchasing usages.

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMIE SWARTZ whose telephone number is (571)272-7363. The examiner can normally be reached on 8:00am-4:30pm Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Dunham can be reached on (571)272-8109. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/J. S./

Examiner, Art Unit 3684

/SUSANNA M. DIAZ/

Primary Examiner, Art Unit 3684